

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FOUNDATION AGAINST INTOLERANCE &
RACISM, INC. and BENJAMIN STEWART,

Plaintiffs,

-against-

THE CITY OF NEW YORK; THE NEW YORK CITY
DEPARTMENT OF HEALTH AND MENTAL
HYGIENE; DAVE A. CHOKSHI, as Commissioner of
the New York City Department of Health and Mental
Hygiene; AND MARY T. BASSETT, individually and
in her official capacity as Commissioner of the New
York State Department of Health,

Defendants.

No. 22-CV-528 (KPF) (JW)

**STIPULATION OF
DISMISSAL**

MEMO ENDORSED

WHEREAS, Plaintiffs FOUNDATION AGAINST INTOLERANCE & RACISM,
INC. and BENJAMIN STEWART (“Plaintiffs”) initiated the above-captioned action against
THE CITY OF NEW YORK, THE NEW YORK CITY DEPARTMENT OF HEALTH AND
MENTAL HYGIENE, and DAVE A. CHOKSHI,¹ as Commissioner of the New York City
Department of Health and Mental Hygiene (the “City Defendants”) by filing a Complaint on or
around January 20, 2022, and against MARY T. BASSETT, individually and in her official
capacity as Commissioner of the New York State Department of Health (“State Defendant”) by
filing an Amended Complaint on or around February 14, 2022;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for the parties to this Action, as follows:

¹ Dave. A. Chokshi is no longer the Commissioner of the New York City Department of Health and Mental Hygiene. The current Commissioner is Dr. Ashwin Vasan.

1. Plaintiffs hereby agree to dismiss the above-captioned action pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), without prejudice and without costs, disbursements, or attorneys' fees to any party as against the other parties.

2. This Stipulation may be executed in any number of counterparts, all of which taken together shall constitute one stipulation, and may be executed by facsimile or electronically-transmitted signature.

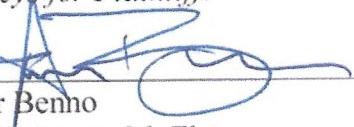
Dated: November 23, 2022
New York, New York

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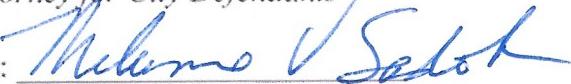
Dated: November 23, 2022
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BENNO & ASSOCIATES P.C.
Attorneys for Plaintiffs

By: 
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Dated: November 28, 2022
New York, New York

HON. SYLVIA O. HINDS-RADIX
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The Clerk of Court is directed to adjourn all remaining deadlines, terminate all pending motions, and close this case.

Dated: August 8, 2023
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE